IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 9323 of 2007(I)

PETITIONER:

ST.THOMAS ENGLISH MEDIUM SCHOOL,
NORTH - KUTHIYATHODE, ERNAKULAM DIST.
REPRESENTED ITS MANAGER.

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF EDUCATION, ERNAKULAM.

4. DISTRICT EDUCATION OFFICER, ERNAKULAM.

BY GOVT.PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.9323 OF 2007

Dated this the 20th day of March, 2007

JUDGMENT

Petitioner is the manager of a Private unrecognised unaided school. It is his case that on the basis of the sanction issued by the respondents, petitioner has conducted annual examinations and issued T.C. upto the academic year 2005-06. As far as this year is concerned, sanction is seen rejected by Ext.P3 relying on an order dated 20/06/2006. However, petitioner has filed an affidavit interalia stating that KER will be enforced from next year onwards and that permission may be granted to conduct annual examination and to issue transfer certificates to the pupils.

2. I heard learned Government Pleader also.

Even though petitioner has sought permission for standards IV to VII, I feel that the following direction can be given:

In the light of the affidavit filed, there will be a direction to

the third respondent to consider and pass orders on the application filed by the petitioner for grant of permission to conduct annual examinations in the petitioner's school for the students studying in standards IV, V and VI and to issue transfer certificates on the basis of the order dated 11/12/2001 within one week from the date of receipt of a copy of this judgment.

K.M.JOSEPH
JUDGE

sv.

d respondent to consider the application of the petitioner for grant of permission to conduct the annual examinations in the petitioner's school in respect of standards IV, V and VI on the basis of the order dated 11/12/2001 and to issue transfer certificates within one week from the date of receipt of a copy of this judgment.

K.M.JOSEPH
JUDGE

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